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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,667	02/13/2002	Modest Khovaylo	10011533-1	2675

7590 03/09/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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EXAMINER

JELINEK, BRIAN J

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/075,667	Applicant(s) KHOVAYLO, MODEST	
	Examiner Brian Jelinek	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/6/2003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

This is a first office action in response to application no. 10/075,667 in which claims 1-22 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Phillips PCVC750K Instruction Manual (hereafter, “Phillips”).

Regarding claim 1, Phillips discloses an imaging apparatus comprising a mouse pad (pg. 2, bottom fig.).

Regarding claim 2, Phillips discloses the mouse pad comprises an object-to-be-imaged support surface (pg. 2, bottom fig.).

Regarding claim 3, Phillips discloses the imaging apparatus further comprises a camera positioned in spaced-apart relationship with said mouse pad (pg. 2, bottom fig.).

Regarding claim 4, Phillips discloses the camera comprises a digital camera (pg. 1, section 2.2, USB PC camera).

Regarding claim 5, Phillips discloses the camera has an image window and wherein said mouse pad is at least coextensive with said image window (pg. 2, bottom fig.).

Regarding claim 6, Phillips discloses the mouse pad comprises object-to-be-imaged positioning indicia (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 7, Phillips discloses the object-to-be-imaged positioning indicia comprises graphics (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 8, Phillips discloses the object-to-be-imaged positioning indicia comprises at least one peripheral edge portion of said mouse pad (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 9, Phillips discloses the positioning indicia correspond to an image window of a camera (pg. 2, top-right fig., the indicia surrounds the two pages being imaged).

Regarding claim 10, Phillips discloses the mouse pad is physically attached to a base portion of said imaging apparatus (pg. 2, middle-left fig.).

Regarding claim 11, Phillips discloses a work assembly comprising: a computer; and an optical imaging apparatus operably connected to said computer and having an object-to-be-imaged locator comprising a mouse pad (pg. 2, bottom fig.).

Regarding claim 12, Phillips discloses a computer mouse pad comprising indicia for aligning an object to be imaged with an imaging apparatus (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 13, Phillips discloses the indicia comprise graphical indicia (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 14, Phillips discloses the indicia comprise at least one peripheral edge portion of said mouse pad (pg. 2, top-right fig., the line bordering the edge of the mouse pad).

Regarding claim 15, Phillips discloses the indicia correspond to an image window of said imaging apparatus (pg. 2, top-right fig., the indicia surrounds the two pages being imaged).

Regarding claim 16, Phillips discloses an imaging apparatus comprising: means for supporting an object to be imaged; means for co-acting with a computer mouse; wherein said means for supporting comprises said means for co-acting (pg. 2, bottom fig.).

Regarding claim 17, Phillips discloses a work assembly comprising: means for computing having a computer mouse operably connected thereto; means for imaging an object; and means for positioning said object relative to said imaging means and for co-acting with said mouse (pg. 2, bottom fig.).

Regarding claim 18, Phillips discloses a method of data acquisition and processing comprising: placing a mouse pad in registration with the field of view of an imaging device; placing an object on the mouse pad; and imaging the object on the mouse pad (pg. 2, bottom fig.).

Regarding claim 19, Phillips discloses operating a computer mouse on the mouse pad (pg. 2, middle-left fig., mouse pad).

Regarding claim 20, Phillips discloses operating a computer mouse on the mouse pad comprises operating the mouse with the mouse pad in registration with the field of view of the imaging device (pg. 2, bottom fig).

Regarding claim 21, Phillips discloses operating a computer mouse on the mouse pad comprises operating the mouse with the mouse pad removed from registration with the field of view of the imaging pad removed from registration with the field of view of the imaging device (pg. 2, middle-left fig., removable camera).

Regarding claim 22, a method of saving space on a desk top supporting a computer with a computer mouse and an overhead imaging device comprising: providing a mouse pad adapted to co-act with the mouse; and using the mouse pad as an object locator for the overhead imaging device (pg. 2, bottom fig.).

Conclusion

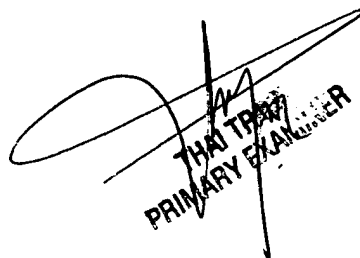
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (571) 272-7366. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached at (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Jelinek
3/3/2005


THAN TRAN
PRIMARY EXAMINER